

AGENDA ITEM XI-M

Consideration of the review of Board rules in accordance with Texas Government Code, Section 2001.039, and simultaneously proposing the repeal of sections of Board rules (First Consideration)

RECOMMENDATION: Propose the repeal of sections of Board rules listed below:

1. Sections 21.740 through 21.749 of Board rules, concerning Incentive Grants for Professional Nursing Student Retention
2. Sections 21.770 through 21.779 of Board rules, concerning Incentive Grants for Vocational Nursing Student Retention
3. Sections 22.1 through 22.8 of Board rules, concerning General Provisions for All Grant and Scholarship Programs Described in Chapter 22

Summary:

Section 2001.039 of the Texas Government Code requires that each rule adopted by the Board after September 1, 1997, be reviewed within four years of the date it was adopted and every four years thereafter to assess whether the reason for adopting the rule continues to exist.

1. Staff is recommending the repeal of Sections 21.740 through 21.749, concerning Incentive Grants for Professional Nursing Student Retention. Although the program was created by the Advisory Committee for Professional Nursing Financial Aid Programs in keeping with its statutory assignment to advise the Board on how funds are to be used, it has been determined that the program lies outside the purview of statutory authority and that the program should be discontinued.
2. Staff is recommending the repeal of Sections 21.770 through 21.779 concerning Incentive Grants for Vocational Nursing Student Retention. Although the program was created by the Advisory Committee for Vocational Nursing Financial Aid Programs in keeping with its statutory assignment to advise the Board on how funds are to be used, it has been determined that the program lies outside the purview of statutory authority and that the program should be discontinued.
3. Staff is recommending the repeal of Sections 22.1 through 22.8 of Board rules, concerning the General Provisions for All Grant and Scholarship Programs Described in this Chapter (Chapter 22). At the request of the financial aid community, these provisions are being

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added to individual program rules in order for the program rules to act as stand-alone documents reflecting all program requirements.

The text of all of these sections can be viewed on the Coordinating Board's website at <http://www.theccb.state.tx.us/CBRules/tac.cfm>.

Purpose:

Deleting the sections concerning incentive grants for vocational and professional nurses will comply with current interpretations of statutory authority.

Deleting the sections concerning the general provisions for Chapter 22 and incorporating those provisions within individual sets of rules will make it simpler for institutions to locate all rules dealing with the programs in which they participate.

Impact (including fiscal):

No fiscal impact is anticipated.

Advisory Committee Statement:

The Advisory Committee has not had an opportunity to review this rule change.

Legal Consideration:

Approved by the Office of General Counsel \_\_\_\_\_ Date: \_\_\_\_\_